

EXHIBIT “11”

David P. Pogrel

From: tmak@morganlewis.com
Sent: Thursday, February 14, 2008 4:01 PM
To: David P. Pogrel
Cc: COlsen@CK-LawFirm.com; Aaron Kaufmann; mballer@gdblegal.com; msinger@ck-lawfirm.com; reisen@morganlewis.com
Subject: RE: Saidel v. CBS - Meet and Confer

Dave - Your proposal regarding the TREX data and the 2003 reimbursement forms is acceptable to us.

However, we disagree with you regarding the contact information. As the parties have discussed on several occasions, we will work together to schedule the opposition and reply briefing, as well as the hearing, on your anticipated motion to compel after the mediation.

Thanks,

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